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## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

**Title of Invention** FOLDING SUPPORT STAND FOR PLANTS

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☒ The attached application, or  
☐ Application No. \_\_\_\_\_, filed on \_\_\_\_\_,  
☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### FULL NAME OF INVENTOR(S)

Inventor one: Duane E. Goman

Signature: Duane E. Goman

Inventor two: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor three: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor four: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)****Title of Invention**

Folding Support Stand for Plants

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☒ The attached application, or
- ☐ Application No. \_\_\_\_\_, filed on \_\_\_\_\_,
- ☐ as amended on \_\_\_\_\_ (if applicable);

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**FULL NAME OF INVENTOR(S)**

Inventor one: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor two: John Bruno

Signature:  Citizen of: USA 10/16/03

Inventor three: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor four: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

|                        |                                  |
|------------------------|----------------------------------|
| Application Number     |                                  |
| Filing Date            |                                  |
| First Named Inventor   | Duane E. Goman                   |
| Title                  | Folding Support Stand for Plants |
| Art Unit               |                                  |
| Examiner Name          |                                  |
| Attorney Docket Number | 1876                             |

I hereby appoint:

☒ Practitioners at Customer Number:

24264

OR

☐ Practitioner(s) named below:

| Name | Registration Number |
|------|---------------------|
|      |                     |
|      |                     |
|      |                     |
|      |                     |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

|  |  |       |  |     |
|--|--|-------|--|-----|
| <input type="checkbox"/> Firm or Individual Name |  |       |  |     |
| Address  |  |       |  |     |
| Address  |  |       |  |     |
| City   |  | State |  | Zip |
| Country  |  |       |  |     |
| Telephone  |  | Fax   |  |     |

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

|           |   |           |              |
|-----------|---|-----------|--------------|
| Name      | Robert Donegan, President, Perky-Pet Products Company, Inc. |           |              |
| Signature | <i>Robert Donegan</i>                                       |           |              |
| Date      | 10/13/03  | Telephone | 720-748-5100 |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Duane E. Goman, et al.

Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: \_\_\_\_\_

Entitled: Folding Support Stand for PlantsPerky-Pet Products Company, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or2. ☒ an assignee of less than the entire right, title and interest. 50 %  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.**OR**B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

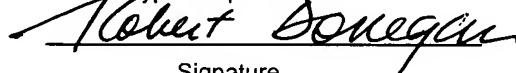
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

\_\_\_\_\_  
Date\_\_\_\_\_  
Telephone numberRobert Donegan

Typed or printed name



Signature

President, Perky-Pet Products Company

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## **ASSIGNMENT**

**WHEREAS**, John Bruno ("Bruno") of 1650 Irish Pat Murphy, Parker, Colorado 80134 along with Duane Goman of 1723 East Idahome Street, West Corvina, California 91791 has invented a certain new and useful **FOLDING SUPPORT STAND FOR PLANTS** for which application for Letters Patent of the United States is executed concurrently herewith on the date set forth herein below, said application being identified as Docket Number 1876 in the files of the law offices of Timothy J. Martin, P.C.;


**WHEREAS**, Perky-Pet Products Company, Inc. ("Perky-Pet"), a corporation organized and existing under the laws of the State of Delaware, and having a place of business located at 2201 S. Wabash Street, Denver, Colorado 80231, is desirous of acquiring Bruno's entire right, title and interest therein and thereto;

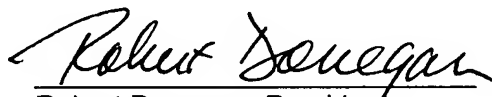
**NOW, THEREFORE**, be it known that for and in consideration of the sum of Ten Dollars (\$10.00) and certain other good and valuable consideration to Bruno in hand paid, the receipt of which is hereby acknowledged, the said Bruno by these presents does sell, assign and transfer unto the said Perky-Pet, its successors, legal representatives and assigns, his entire right, title and interest in and to the said invention, the aforesaid application and any and all applications derived therefrom (including but not limited to continuations, divisionals, continuations-in-part, continued prosecution applications (CPAs), and requests for continued examination applications (RCEs)), for the territory of the United States of America and for all foreign countries and to all Letters Patents and reissues thereof and extensions to be obtained therefor. Bruno further agrees to cooperate with Perky-Pet in the obtaining and sustaining of any and all such Letters Patents, but at the expense of Perky-Pet. Perky-Pet hereby acknowledges and accepts the sale, assignment and transfer of the same.

Bruno further hereby assigns and agrees to assign to Perky-Pet the entire right, title and interest, domestic and foreign, which Bruno may have in any discoveries, improvements and inventions made, conceived or developed by Bruno in connection with the development of said invention and does further agree to execute all applications for patent, assignments and other appropriate documents and to perform all things necessary to make this Assignment effective and to perfect all right, title and interest in and to said discoveries, improvements or inventions in said Perky-Pet. Perky-Pet hereby acknowledges and accepts the assignment and agreement to assign the same.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals on the respective date(s) set forth hereinafter.

Date: 10/16/03 By:   
John Bruno

Date: 10/16/03 By:   
Robert Donegan, President  
Perky-Pet Products Company, Inc.

STATE OF Colorado )  
 ) ss.  
COUNTY OF Denver/Arapahoe )

Before me, a Notary Public in and for the said County and State, personally appeared John Bruno, who is known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that he executed the same

for the purposes and considerations therein expressed this 16 day of October,  
2003.

(SEAL)

[Signature]  
Notary Public

2201 S. WABASH ST  
Address

DENVER, CO 80231  
City, State and Zip Code

**My Commission Expires  
July 26, 2004**

My Commission Expires: \_\_\_\_\_

STATE OF Colorado )

) ss.

COUNTY OF Denver / Arapahoe )

Before me, a Notary Public in and for the said County and State, personally  
appeared Robert Donegan, President, Perky-Pet Products Company, Inc., who is  
known to me to be the person whose name is subscribed to the foregoing instrument,  
and who acknowledged to me that he executed the same for the purposes and  
considerations therein expressed this 16 day of October, 2003.

(SEAL)

[Signature]  
Notary Public

2201 S. WABASH ST  
Address

DENVER, CO 80231  
City, State and Zip Code

**My Commission Expires  
July 26, 2004**

My Commission Expires: \_\_\_\_\_